

I don't see any reason to bracket it. I think it is a move by a number of the members of the Legislature here to hold this thing to try to generate some more further support for their idea concerning the proposed amendment by Senator Schmit. He has raised a question about the prosecution but no one has addressed the issue that says in LB 175, the Nebraska State Patrol to assist county attorneys in the preparation, and it is deleting the words "and prosecution" of cases involving drug abuse. I know and you know, Senator Schmit, as well as Senator Luedtke does that the county attorney can turn around and deputize these same people. They can turn around and it was testified in committee that they can deputize the same people so let's just take the issue on. I object to it.

PRESIDENT: Senator Schmit, would you address yourself to the matter of bracketing.

SENATOR SCHMIT: Yes, Mr. President, I would be pleased to. I really don't care if Senator Mills wants to pursue it but I am trying to save this Legislature from making a mistake. Senator Mills took the bill for the Governor and he believes what he is doing. I know that. I know there is a difference of opinion in here but you are really going to have a conflict if you proceed in the manner in which you are progressing at the present time and you are going to find cases thrown out of court because you have an attorney general assigned by the Attorney General's office to the Highway Patrol who is going to proceed right on into the court room, tippytoe right up to the courtroom and we are trying to stop that. We do not want that thing to happen. Now you can vote the amendment down or support it, if you want to today. It makes no difference to me. I am telling you what you are doing and I am telling you I know what I am doing. I drew the first bill. I made it clearer. The intent was not clear to the Legislature. The Judiciary Committee in interim hearings spoke out plainly that we did not want those attorneys in the courtroom, but if you pass LB 294, you are going to have deputy attorney generals in the courtroom and that is going to be a violation of the code of ethics that Senator Luedtke referred to and you are going to find cases thrown out and we will be right back in the same old ball game and out of the ball park. So I would support the motion to bracket, but if you don't bracket the bill, I would hope you would adopt my amendment.

PRESIDENT: Did you want to close on this, Senator Barnett? The question is, shall this bill be bracketed until Monday? Record your vote. Have you voted? Record.

CLERK: 23 ayes, 10 nays.

PRESIDENT: Do you want to close your debate on your motion, Senator Schmit?

SENATOR SCHMIT: Yes, Mr. President, members of the Legislature, I have outlined, I think, pretty well the problem as it exists today. I would just like to caution you before you vote. I had hoped that you would take a little extra time over the weekend and do some homework and you can believe what Senator Mills tells you, if